

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

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CLERK US DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA FLORIDA

UNITED STATES OF AMERICA

v.

JOSEPH S. ANILE, II

CASE NO. **8:19-cr-00334-T-35CPT**
18 U.S.C. § 1349
18 U.S.C. § 1957
26 U.S.C. § 7206(1)

INFORMATION

The United States Attorney charges:

COUNT ONE
(Conspiracy to Commit Wire Fraud and Mail Fraud)

Introduction

At all times material to this Information:

1. JOSEPH S. ANILE, II, a resident of Sarasota, in the Middle District of Florida, and a licensed attorney, was a co-founder, director, and president of OASIS INTERNATIONAL GROUP, LTD. ANILE created offshore entities, secured broker-dealer licenses, drafted promissory notes and disclosures, monitored incoming wire transactions, directed outgoing wire transactions and, among other conduct, interacted with victim-investors in order to perpetuate the scheme and for other purposes. ANILE also created and/or controlled, among other entities, 444 GULF OF MEXICO DRIVE, LLC, BOWLING GREEN

CAPITAL CORPORATION, 4064 FOUNDERS CLUB DRIVE, LLC, and 4OAKS, LLC.

2. OASIS INTERNATIONAL GROUP, LTD. (“OIG”), a Cayman Islands limited corporation, served as the parent company for other entities including, but not limited to, OASIS MANAGEMENT, LLC, OASIS GLOBAL FX, LTD., OASIS GLOBAL (BELIZE), S.A., and 444 GULF OF MEXICO DRIVE, LLC, utilized to carry out the scheme. ANILE and his coconspirators held OIG out to victim-investors as the entity used to conduct foreign exchange market (“FOREX”) trading. OIG was not registered with the Commodity Futures Trading Commission in any capacity.

3. 444 GULF OF MEXICO DRIVE, LLC was a Florida limited liability company created by ANILE and used to open a bank account and to pay business expenses and certain personal expenses of ANILE.

4. BOWLING GREEN CAPITAL CORPORATION (“BGCC”), a New York corporation, was created and controlled by ANILE who used the entity to receive victim-investors’ funds for his personal enrichment.

5. 4064 FOUNDERS CLUB DRIVE, LLC was a Florida limited liability company created by ANILE and used to purchase ANILE’s personal residence, located at 4064 Founders Club Drive, Sarasota, Florida.

6. 4OAKS, LLC was a Florida limited liability company created by ANILE and used to open a bank account and to facilitate financial transactions, including the purchase of a 2015 Ferrari Convertible California T.

7. COMMODITY FUTURES TRADING COMMISSION (“CFTC”) was an independent federal regulatory agency charged by Congress with the administration and enforcement of the Commodity Exchange Act, 7 U.S.C. § 1 et seq., and regulations promulgated thereunder.

8. The foreign exchange market (“FOREX”) was the market for buying and selling different currencies. It was primarily an over-the-counter market with trades between large commercial banks accounting for most foreign currency transactions. Other participants in the foreign exchange market included brokers, who matched buyers and sellers in the market.

9. A “Ponzi” scheme was a fraudulent investment program in which funds paid in by later investors are used to pay out non-existent, phantom “profits” to earlier investors, thus creating the illusion that the fraudulent investment program is a successful, profit-generating enterprise which, in turn, attracts new investment funds that are used to sustain the fraudulent program.

The Conspiracy

10. Beginning on an unknown date, but at least as early as in or about November 2011, and continuing thereafter, through and including at least on or

about April 18, 2019, in the Middle District of Florida, and elsewhere, the defendant,

JOSEPH S. ANILE, II,

did knowingly combine, conspire, confederate, and agree with others, both known and unknown to the United States Attorney, to commit certain offenses against the United States, specifically:

- a. To devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, utilizing transmissions by means of wire and radio communication in interstate and foreign commerce of any writings, signs, signals, and sounds, in violation of 18 U.S.C. § 1343; and
- b. To devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, utilizing the United States mail and private and commercial interstate carriers, in violation of 18 U.S.C. § 1341.

Manner and Means of the Conspiracy

11. The manner and means by which the defendant and his coconspirators sought to accomplish the objects and purpose of the conspiracy included, among others, the following:

a. It was a part of the conspiracy that conspirators would and did create both domestic and offshore entities and open bank accounts in the names of said entities to facilitate the scheme.

b. It was a further part of the conspiracy that conspirators would and did make false and fraudulent representations to victim-investors and potential investors in promoting one of the conspirators as an experienced FOREX trader with a record of success in order to persuade them to transmit their investment funds to OASIS MANAGEMENT, LLC to be traded in the FOREX market.

c. It was a further part of the conspiracy that conspirators would and did make material omissions and conceal from victim-investors and potential investors that one of the conspirators had been permanently banned from registering with the CFTC and was prohibited from soliciting U.S. residents to trade in FOREX and from trading FOREX for U.S. residents in any capacity.

d. It was a further part of the conspiracy that conspirators would and did make false and fraudulent representations to victim-investors and

potential investors, including, but not limited to, that: (i) conspirators did not charge any fees or commissions; (ii) investors were guaranteed a minimum 12 percent per year return on their investments; (iii) conspirators had never had a month when they had lost money on FOREX trades; (iv) interest and principal payments made to investors were funded by profitable FOREX trading; (v) conspirators owned other assets sufficient to repay investors' principal investments; and (vi) an investment with conspirators was safe and without risk.

e. It was a further part of the conspiracy that conspirators would and encourage and did cause victim-investors to transmit funds, via interstate wire transmissions and the United States mail and private and commercial interstate carriers, to OASIS MANAGEMENT, LLC to be traded in the FOREX market.

f. It was a further part of the conspiracy that conspirators would and did use funds transmitted by victim-investors for FOREX trading to: (i) make Ponzi-style payments to victim-investors; (ii) pay expenses associated with perpetuating the scheme; and (iii) fund their lifestyles and otherwise for their personal enrichment.

g. It was a further part of the conspiracy that conspirators would and did secure broker-dealer licenses from offshore regulatory entities to create

the appearance that they could generate even greater earnings by facilitating FOREX trading.

h. It was a further part of the conspiracy that conspirators would and did solicit victim-investors to make “loans” to OIG, evidenced by promissory notes, purportedly to enable OIG to facilitate a larger volume of FOREX trades and thereby generate greater earnings.

i. It was a further part of the conspiracy that conspirators would and did develop and administer a “back office” operation - that is, a secure website that falsely and fraudulently depicted victim-investors’ account balances and earnings - in order to convince victim-investors that their principal balances were safe and their investments were performing.

j. It was a further part of the conspiracy that conspirators would and did encourage and cause victim-investors to: (i) transmit funds, via interstate wire transmissions and the United States mail and private and commercial interstate carriers, to OASIS MANAGEMENT, LLC and/or to OIG via a third-party fund administrator purportedly to serve as collateral for FOREX trading activity; and (ii) access a “back office” website and monitor supposed activity in their accounts, including daily earnings, principal balances, and referral fees.

k. It was a further part of the conspiracy that conspirators would and did use funds “loaned” by victim-investors to: (i) conduct trades, via an

offshore broker, in the FOREX market, which trades resulted in catastrophic losses; (ii) make Ponzi-style payments to victim-investors; (iii) pay expenses associated with perpetuating the scheme; and (iv) purchase million-dollar residential properties, high-end vehicles, gold, silver, and other liquid assets, to fund a lavish lifestyle for conspirators, their family members and friends, and otherwise for their personal enrichment.

l. It was a further part of the conspiracy that conspirators would and did conceal the FOREX trading losses from victim-investors, including by omitting any mention of said losses from the “back office” website, in an effort to perpetuate the scheme.

m. It was a further part of the conspiracy that conspirators would and did misrepresent, hide, and conceal, and cause to be misrepresented, hidden, and concealed, the purpose of acts performed in furtherance of the conspiracy.

All in violation of 18 U.S.C. § 1349.

COUNT TWO
(Illegal Monetary Transaction)

On or about February 1, 2019, in the Middle District of Florida, the defendant,

JOSEPH S. ANILE, II,

did knowingly engage and attempt to engage in a monetary transaction, affecting interstate and foreign commerce, in criminally derived property of a value greater

than \$10,000, such property having been derived from specified unlawful activity, that is, wire fraud, in violation of 18 U.S.C. § 1343, and mail fraud, in violation of 18 U.S.C. § 1341, in that defendant caused a wire in the amount of \$57,134 to be transmitted from the Wells Fargo Bank account ending in 2572 in the name of 4OAKS, LLC, to the Seacoast National Bank account of Marino Performance Motors in West Palm Beach, Florida, in connection with his purchase of a 2015 Ferrari Convertible California T.

In violation of 18 U.S.C. § 1957.

COUNT THREE
(False and Fraudulent Statement on Income Tax Return)

On or about October 15, 2018, in the Middle District of Florida and elsewhere, the defendant,

JOSEPH S. ANILE, II,

did willfully make, and subscribe, and cause to be made and subscribed, a 2017 U.S. Individual Income Tax Return, IRS Form 1040, which was verified by a written declaration that was made under penalties of perjury, and which he did not believe to be true and correct as to every material matter, in that, the defendant understated his reported income by at least \$1,498,000.

In violation of 26 U.S.C. § 7206(1).

FORFEITURES

1. The allegations contained in Counts One and Two of this Information are incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(1), and 28 U.S.C. § 2461(c).

2. Upon conviction of a violation of 18 U.S.C. §§ 1341 and/or 1343 or a conspiracy to violate 18 U.S.C. §§ 1341 and/or 1343 (18 U.S.C. § 1349), the defendant,

JOSEPH S. ANILE, II,

shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense.

3. Upon conviction of a violation of 18 U.S.C. § 1957, the defendant,

JOSEPH S. ANILE, II,

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 982(a)(1), any property, real or personal, involved in such offense and any property traceable to such property.

4. The property to be forfeited includes, but is not limited to the following:

- a. An order of forfeiture in the amount of approximately \$3,283,467, which represents proceeds the defendant personally obtained from the offenses;

- b. All funds in any foreign exchange market accounts established by the defendant and/or Oasis International Group, Ltd., Oasis Management, LLC, Oasis Global FX, Ltd., and/or Oasis Global, S.A., to receive proceeds of the offenses;
- c. 2015 Mercedes-Benz SLK350, Vehicle Identification Number: WDDPK5HA8FF099097;
- d. 2016 Mercedes-Benz GLE400, Vehicle Identification Number: 4JGDA5GB5GA622371;
- e. 2015 Ferrari Convertible California T, Vehicle Identification Number: ZFF77XJA3F0208054;
- f. Real Property located at 13318 Lost Key Place, Lakewood Ranch, Florida 34202, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

Lot 15, Block B , Lakewood Ranch Country Club Village, Subphase U a/k/a Palmer's Creek & Subphase X a/k/a Keswick, a Subdivision, according to the plat thereof, as recorded in Plat Book 40, Pages 71 through 85, inclusive, of the Public Records of Manatee County, Florida.
Property ID Number: 5885.0870/9.

- g. Real Property located at 6922 LaCantera Circle, Lakewood Ranch, Florida 34202, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

LOT 5, LAKEWOOD RANCH COUNTRY CLUB VILLAGE, SUBPHASE MM, A/KIA LACANTERA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 48, PAGES 146 THROUGH 164, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

Property ID Number: 587304259.

- h. Real Property located at 444 Gulf of Mexico Drive, #3, Longboat Key, Florida 34228, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

UNIT 3, SAILBOAT SQUARE, A CONDOMINIUM ACCORDING TO DECLARATION OF CONDOMINIUM, RECORDED IN OR BOOK 3075, PAGE 826, AS AMENDED FROM TIME TO TIME, AND AS PER PLAT THEREOF RECORDED IN CONDOMINIUM BOOK 32, PAGES 24, 24A, 24B AND 24C, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

TOGETHER WITH:

PARKING SPACES 35 THROUGH 42, INCLUSIVE AND 108 THROUGH 121, INCLUSIVE, AND BOAT SLIPS 3 AND 4 WITH THE DOCK LYING BETWEEN THOSE BOAT SLIPS.

Property ID Number: 0012043003.

- i. Real Property located at 16804 Vardon Terrace, #108, Bradenton, Florida 34211, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

Unit No. 218, in Building 2, of Phase 2, of Terrace I at Lakewood National, a Phase Condominium, according to the Declaration of Condominium thereof, as recorded in Official Records Book 2685, Page 5583, of the Public Records of Manatee County, Florida, as amended.

Property ID Number: 581533109.

- j. Real Property located at 16904 Vardon Terrace, #106, Bradenton, Florida 34211, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

Unit 416, in Building 4, of Phase 2 of Terrace II at Lakewood National, a Phase Condominium, according to the Declaration of Condominium thereof, as recorded in Official Records Book 2701, Page 3685, of the Public Records of Manatee County, Florida, as amended.

Property ID Number: 581545959.

- k. Real Property located at 17006 Vardon Terrace, #105, Bradenton, Florida 34211, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

Unit 515, in Building 5, of Phase I of Terrace III at Lakewood National, a Phase Condominium, according to the Declaration of Condominium thereof, as recorded in Official Records Book 2740, Page 4940, of the Public Records of Manatee County, Florida, as amended.

Property ID Number: 581547459.

- l. Real Property located at 4058 Founders Club Drive, Sarasota, Florida 34240, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

LOT D-5, FOUNDERS CLUB, A SUBDIVISION,
ACCORDING TO THE PLAT THEREOF RECORDED
IN PLAT BOOK 44, PAGE 30, OF THE PUBLIC
RECORDS OF SARASOTA COUNTY, FLORIDA.

Property ID Number: 0220-03-0023.

- m. Real Property located at 4064 Founders Club Drive, Sarasota, Florida 34240, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

LOT D-4, FOUNDERS CLUB, A SUBDIVISION,
ACCORDING TO THE PLAT THEREOF RECORDED

IN PLAT BOOK 44, PAGE 30, OF THE PUBLIC
RECORDS OF SARASOTA COUNTY, FLORIDA.
Property ID Number: 0220030024;

- n. Real Property located at 7312 Desert Ridge Glen, Lakewood Ranch, Florida 34202, including all improvements thereon and appurtenances thereto, the legal description for which is as follows:

LOT 8, BLOCK A, LAKEWOOD RANCH COUNTRY
CLUB VILLAGE, SUBPHASE V A/K/A LEGEND'S
WALK & SUBPHASE W A/K/A KINGSMILL,
ACCORDING TO THE MAP OR PLAT THEREOF, AS
RECORDED IN PLAT BOOK 40, PAGE(S) 149, OF THE
PUBLIC RECORDS OF MANATEE COUNTY,
FLORIDA.

Property ID Number: 588511909.

- o. Approximately 200 one-ounce gold coins, seized from 4064 Founders Club Drive, Sarasota, Florida on or about April 18, 2019;
- p. Approximately 100 one-hundred-ounce silver bars, seized from 4064 Founders Club Drive, Sarasota, Florida on or about April 18, 2019; and
- q. Approximately \$62,750.00 in U.S. Currency, seized from 4064 Founders Club Drive, Sarasota, Florida on or about April 18, 2019.

5. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;

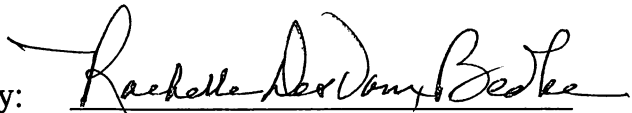
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 18 U.S.C.

§ 982(b)(1) and 28 U.S.C. § 2461(c).

MARIA CHAPA LOPEZ
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